IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 12901 of 2004

Between:

K. Venkata Reddy, s/o Late K. Butchi Rami Reddy, Occ:F.P.Shop Dealer
Tallaookala Village, Marripeda Mandal, Warangal District.

..... PETITIONER

AND

1 The District Collector, Civil Supplies, Warangal, Warangal District.
2 The Revenue Divisional Officer, Mahaboobabad, Revenue Division,

Mahaboobabad, Warangal District.
3 The Mandal Revenue Officer, Marripeda Mandal, Marripeda, Warangal

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of mandamus, declaring the impugned order of the 2nd respondent dated 2-7-2004 vide proceedings No. C/1126/2004 , placing the authorization of the petitioner in respect of F.P. Shop Tallaookala Village , Marripeda Mandal, Warangal District as arbitrary, illegal, violative of principles of natural justice and contrary to law and consequently direct the respondents to permit the petitioner carry on Dealership of said F.P. Shop as usual;

Counsel for the Petitioner: MR.J.KANAKAIAH

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following:

ORDER:

This writ petition is filed assailing the order dated 02.07.2004 passed by the second respondent-Revenue Divisional Officer, Mahaboobabad, whereunder the authorisation of the petitioner was suspended, pending enquiry.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

The learned counsel for the petitioner submits that all the allegations made against the petitioner are false and baseless, and at any rate the same being trivial in nature, the second respondent ought not to have suspended the authorisation.

In the counter affidavit filed by the second respondent on behalf of the respondents, it is stated that the Mandal Revenue Officer having conducted an enquiry submitted a report stating that the petitioner has committed several irregularities in distribution of the commodities and on the basis of the said report, further enquiry has been taken up which is pending.

The correctness of the allegations made against the petitioner cannot be gone into by this Court, but it is a matter to be enquired into by the Revenue Divisional Officer. Admittedly, the said enquiry is pending. By virtue of the interim orders granted by this Court dated 23-07-2004 the petitioner is being continued as a dealer as on today. In the circumstances, it is not necessary to keep the writ petition pending any longer and the interest of justice would be met if the enquiry is directed to be completed expeditiously. Accordingly, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition with a direction to the second respondent to complete the enquiry initiated against the petitioner as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order after affording due opportunity to the petitioner to rebut the allegations made.

Till the completion of the enquiry, the impugned order of suspension dated 02.07.2004 shall not be given effect to.

Accordingly, the writ petition is disposed of. No costs.

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27.10.2004

VGB

To

1 The District Collector, Civil Supplies, Warangal, Warangal District.
2 The Revenue Divisional Officer, Mahaboobabad, Revenue Division,

Mahaboobabad, Warangal District.
3 The Mandal Revenue Officer, Marripeda Mandal, Marripeda, Warangal

District.

4 2CCs to the Government Pleader for Civil Supplies, High Court

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